

UNITED STATES DISTRICT COURT

for the
District of Massachusetts

United States of America
v.

PAUL TEVES

Defendant

Case No.

11m-5200-JGD

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay

(name of person to be arrested) PAUL TEVES

who is accused of an offense or violation based on the following document filed with the court:

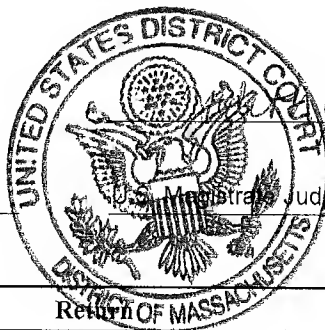
- ☐ Indictment ☐ Superseding Indictment ☐ Information ☐ Superseding Information ☒ Complaint
☐ Probation Violation Petition ☐ Supervised Release Violation Petition ☐ Violation Notice ☐ Order of the Court

This offense is briefly described as follows:

Knowingly distributing matter which contains visual depictions of minors engaging in sexually explicit conduct on or about May 17, 2011.

Date: August 29, 2011

City and state: Boston, MA



Judith G. Dein
Issuing officer's signature

Judge Judith G. Dein

Printed name and title

This warrant was received on (date) _____, and the person was arrested on (date) _____
at (city and state) _____

Date: _____

Arresting officer's signature

Printed name and title

Print Form

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PAUL TEVES

Defendant

Case No. 11m-5200-JGD

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of 05/17/2011 in the county of Bristol in the _____ District of
Massachusetts, the defendant violated Title 18 U. S. C. § 2252(a)(2)
, an offense described as follows:

Knowingly distributing matter which contains visual depictions of minors engaging in sexually explicit conduct.

This criminal complaint is based on these facts:

See Affidavit of FBI Special Agent Sarah De Lair, attached hereto.

☒ Continued on the attached sheet.

Sarah De Lair

Complainant's signature

FBI SA Sarah De Lair

Printed name and title

Sworn to before me and signed in my presence.

Date: 08/29/2011

Judith G. Dein

Judge's signature

City and state: Boston, Massachusetts

US Magistrate Judge Judith G. Dein

Printed name and title

AFFIDAVIT OF SPECIAL AGENT SARAH DE LAIR

I, Sarah De Lair, being duly sworn, hereby depose and say:

1. I am a Special Agent (SA) of the Federal Bureau of Investigation (FBI), United States Department of Justice, and have been so employed for approximately seven years. I am currently assigned to the Lakeville Resident Agency within the Boston Division. My responsibilities include the investigation of various criminal offenses, including the investigation of crimes involving the sexual exploitation of children utilizing computer telecommunications.

2. This affidavit is submitted in support of a criminal complaint charging Paul Teves, of 177 Mason Street, Floor 2, Fall River, Massachusetts, with distribution of child pornography in violation of 18 U.S.C. § 2252(a)(2). The information contained within this affidavit is based upon my training and experience, and on information obtained from other law enforcement officers.

3. In this affidavit, I will refer to any individual under the age of eighteen as a "child" or "minor," and will refer to any visual depictions of a child or minor engaging in sexually explicit conduct, defined in Title 18, United States Code, Section 2256, as "child pornography."

Relevant Statutes

4. Title 18, United States Code, Section 2252(a)(2), makes it illegal for any person to knowingly receive or distribute any visual depictions using any means or facility of interstate or foreign commerce or that has been mailed, or has been shipped or transported in or affecting interstate or foreign commerce, or which contains materials which have been mailed or so shipped or transported, by any means including by

computer, if: (1) the producing of such visual depiction involves the use of a minor engaging in sexually explicit conduct; and (2) such visual depiction is of such conduct.

5. Title 18, United States Code, Section 2256(2), defines "sexually explicit conduct" for purposes of Title 18, United States Code, Section 2252, as actual or simulated "(A) sexual intercourse including genital-genital, oral-genital, anal-genital or oral-anal, whether between persons of the same or opposite sex; (B) bestiality; (C) masturbation; (D) sadistic or masochistic abuse; or (E) lascivious exhibition of the genitals or pubic area."

6. In June 2010, a Subject from Albuquerque, New Mexico (NM) was arrested by law enforcement officers after he drove to Clovis, NM to meet with an individual who he had met on the Internet. The Subject intended to have sex with the individual who he believed was an 11-year-old female, but was in fact an undercover law enforcement officer. After the arrest, the Subject agreed to be interviewed by law enforcement officers and also admitted to receiving, possessing, and distributing child pornography. The Subject later agreed to further cooperate with the FBI and participate in a polygraph examination. During the polygraph, the Subject admitted to chatting with the mother of an 11-year-old girl from Maine, who was "pimping" her daughter out. According to the Subject, the mother agreed to send her daughter to NM to stay with the Subject as long as the Subject would cover the airfare. The Subject and the mother chatted several times about what the Subject would do to the child sexually. The Subject was arrested a few days before the child was scheduled to fly to NM to meet with the Subject. The Subject stated that the mother used the Yahoo! screen name "drtylindsmom". The Subject said that the daughter's name was "Lindsay" and he described her as an 11-year-old female

girl blue eyes and long red hair. The Subject stated that "drtylindsmom" had sent him a couple images he believed were pornographic images of "Lindsay."

7. A United States Department of Justice administrative subpoena was submitted to Yahoo! for Internet Protocol (IP) addresses associated with the Yahoo! screen name "dirtylindsmom". Results from the administrative subpoena indicated the following IP addresses were associated with the Yahoo! screen name "drtylindsmom":

-- 71.232.70.123 on 02/02/2011 at 20:39:36 (GMT)

-- 24.2.139.56 on 01/15/2011 at 15:22:07 (GMT).

8. An internet tool was used and determined that Comcast holds the registration on the above mentioned IP addresses. Subsequently, a United States Department of Justice administrative subpoena was submitted to Comcast, requesting subscriber information for the user of the IP address 71.232.70.123 on 02/02/2011 at 20:39:36 (GMT) and IP address 24.2.139.56 on 01/15/2011 at 15:22:07 (GMT).

9. Results from the administrative subpoena indicated that the subscriber to IP address 71.232.70.123 on 02/02/2011 at 20:39:36 (GMT) and IP address 24.2.139.56 on 01/15/2011 at 15:22:07 (GMT) was Paul Teves, 177 Mason Street, Floor 2, Fall River, Massachusetts (MA).

10. Based on the information provided above, a decision was made to question Paul Teves of 177 Mason Street, Floor 2, Fall River, MA regarding any affiliation with the Subject in NM or the possession, receipt, or distribution of any child pornography. On June 1, 2011, SA David George, and SA Sarah De Lair, interviewed Teves at his residence after he had agreed to speak to the agents. When the agents arrived, Teves stated that he thought the agents were present because of the "on-line stuff."

11. During the interview, Teves told the agents that he has always lived alone at the residence, and that he owned a Dell Inspiron 570 desktop, service tag # 3LQ8NL1, which was located on his living room floor. He stated that he starting looking at adult pornography on-line and then gradually moved towards looking at child pornography.

12. Teves stated that he used the Yahoo! screen name "drtylindsmom" to chat with other individuals. Teves recalled chatting with the Subject from NM. While chatting with the Subject from NM, Teves portrayed himself as being a mother of "Lindsay," a 10 or 11-year-old girl with red hair and blue eyes named Lindsay. Teves stated that he has 7 to 14 videos files that contain child pornography and 30 to 35 images files that contain child pornography. Teves stated that the images of child pornography are saved on his computer in a folder named "special."

13. Teves stated that the chats themselves arouse him. Teves also masturbates to child pornography videos that he has on his computer. Teves stated that some of the videos depict an adult and a child having conversation while they have sexual contact. Teves last looked at child pornography on his computer the night before agents came to his residence. Teves stated that looking at child pornography is something that he does at home and it does not impact the rest of his life. Teves stated that there is an absolute separation between his fantasy chatting and viewing of child pornography, and his real life. Teves stated that within the last three months, he has not paid as much attention to grading school work and papers as he has been spending more time online.

14. Teves last traded child pornography approximately three weeks ago with an individual from the Yahoo! chat room that he frequents. With three to four individuals

from the Yahoo! chat room, Teves has exchanged both videos and images of child pornography depicting 8 to 13 year old girls.

15. Agents requested to search Teves' computer and Teves stated that he wanted to help but did not want to lose his job. Teves indicated he was an 11th grade teacher at West Bridgewater High School, and a coach for the boys and girls track team. Teves said he was not sure if he wanted to give consent for agents to search his computer.

16. Agents subsequently obtained a search warrant for Teves' computer, the Dell Inspiron 570 desktop, service tag # 3LQ8NL1.

17. A forensic examination of files located on Teves' computer was conducted by the FBI, and images and videos of children engaged in sexually explicit conduct were located as active files on the computer. The files included the following:

"- hayley14 2.jpg" -- The image depicts a naked prepubescent female, approximately six to eight years old, sitting on a couch with her legs spread apart. Another individual's fingers are touching the prepubescent female's genitals.

"nice 053.jpg" -- The image depicts a naked prepubescent female laying on a bed with her legs spread apart. An adult male's penis is touching the prepubescent female's genitals and has ejaculated on the female's stomach. The prepubescent female appears to be approximately two to three years old.

"nice 077.jpg" -- The image depicts a naked prepubescent female laying on a bed with her legs spread apart. Another individual's hand is spreading the prepubescent female's genitals apart. The prepubescent female appears to be approximately two to three years old.

"webcam 8yo.wmv" -- The video depicts a prepubescent female approximately 8 to 10 years old. The prepubescent female pulls down her shirt to expose her breasts and takes her jeans and underwear off and inserts a pen into her vagina. The prepubescent female spreads her leg

and exposes her genital area.

The above images and video will be made available with this affidavit for the Court's review.

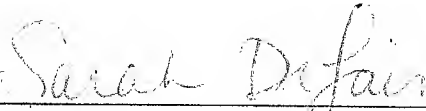
18. During the forensic examination, under the "Pauly" user account, in the Yahoo! Messenger log folder, the following file entry was recovered:

"2011/05/17 00:07:49.076[THRD:3624] [CLT] Info - CYFileTransferSrv::SendFile, Current file: fullpathname = C:\Users\Pauly\Pictures\Linds\Special\vids\webcam 8yo.wmv, filename = webcam 8yo.wmv, safefilename=webcam 8yo.wmv"

This log file entry is consistent with the transfer of file "webcam 8yo.wmv", located in the "Special" folder, from the user of the "Pauly" account to another Yahoo! Messenger user. The file was sent on May 17, 2011.


CONCLUSION

19. Based on the above, I believe that probable cause exists to believe that Paul Teves has committed the offense of and distribution of child pornography, in violation of 18 U.S.C. § 2252(a)(2).



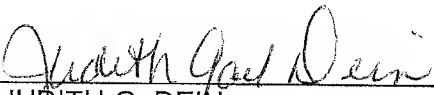
Sarah De Lair, Special Agent
Federal Bureau of Investigation

Subscribed and sworn to before me this 29 day of August, 2011.



JUDITH G. DEIN
United States Magistrate Judge

I have reviewed the images referenced in and described in paragraph 17 above and I find probable cause to believe they depict minors engaging in sexually explicit conduct. The U.S. Attorney's Office will retain these images for the duration of the case.



JUDITH G. DEIN
United States Magistrate Judge